

July 8, 2010

Mr. Ford called the workshop meeting of the Union Township Planning Board/Board of Adjustment to order at 7:00 p.m. He read the Sunshine Statement.

Members Present: Mr. Walchuk, Mrs. Corcoran, Mr. Badenhausen, Mr. Ryland,  
Mr. Taibi, Mr. Kastrud, Mr. Ford, Mr. Kirkpatrick

Members Absent: Mr. Severino, Mr. Bischoff, Mr. Nace

Others Present: Atty. Mark Anderson, Robert Clerico, Atty. Scott Carlson, Joseph Staigar, James Woods, Cathy Adkins, Larry Keller, Jennifer Williams, Lawrence Galiano, Michele McBride

**Approval of Minutes:** Mr. Kirkpatrick made a motion to approve the minutes of the May 27, 2010 meeting. Mr. Badenhausen seconded the motion.

Vote: Ayes: Mr. Kirkpatrick, Mr. Badenhausen, Mr. Walchuk, Mrs. Corcoran,  
Mr. Taibi, Mr. Ford

Abstain: Mr. Ryland, Mr. Kastrud

Mrs. Corcoran made a motion to approve the minutes of the June 10, 2010 workshop meeting. Mr. Kirkpatrick seconded the motion.

Vote: Ayes: Mrs. Corcoran, Mr. Kirkpatrick, Mr. Walchuk, Mr. Kastrud, Mr. Ford  
Abstain: Mr. Badenhausen, Mr. Ryland, Mr. Taibi

**Pilot Travel Centers LLC: Block 11, Lot 24.03, 68 Route 173 West:** Status Report  
Atty. Scott Carlson began the report. He said the storage trailer mentioned by Mr. Ford had been removed. A new landscaping plan had been submitted. Atty. Carlson asked that James Woods present information on the changes to that plan. Mr. Woods said placement of boulders is proposed in an attempt to keep trucks from crossing curbs into the grassy area. A previous plan had shown excavation of the area and placement of stones. Mr. Woods said the Township wanted something more substantial, hence the boulder proposal. The plan shows the NJDOT Clear Zone. Mr. Staigar will provide information regarding the Zone. Mr. Ford noted that the Plan shows a sign "autos only". Mr. Woods explained that the sign would be relocated to the opposite radii to advise truckers they are not to enter the gasoline area. Mr. Ford also noted a boulder barrier at the western end of the property. The fence in that area had been damaged. Mr. Woods indicated that the boulders should provide a better barrier. Atty. Carlson hoped the Board would be receptive to proposed changes. He understood they would want Mr. Hintz's comments.

Mr. Clerico asked that Mr. Staigar clarify the location of the Clear Zone. Mr. Staigar presented information on the Clear Zone. He said the Zone is measured from the shoulder line of the roadway. It is based on the speed limit; at 40 mph the Zone is 20-22 feet from the shoulder. There should not be any obstructions in the Zone since it allows a vehicle to recover if it veers off the travel lane.

Mr. Staigar said NJDOT does not consider utility poles to be obstructions. Guardrails are considered obstructions and could not be used to protect utility poles. Mr. Staigar proposed installing a three-inch river stone edging behind the curb that would preclude trucks from making ruts. Mr. Kirkpatrick said Pilot should consider ten-inch stones. Mr. Kastrud asked why the radii could not be opened. Mr. Staigar explained why that would not work. Mr. Taibi asked about eliminating the river stones and pave behind the curb. Atty. Carlson said that would increase impervious surface. He also said that would not have the aesthetic appeal. Mr. Kastrud suggested striping. Mr. Staigar said the final plan would be sent to Mr. Clerico for his review, prior to submitting it to the DOT. Mr. Staigar apprised the Board of the placement of the "Do Not Block the Box" sign. Mr. Taibi voiced a concern about traffic gridlock on the bridge and trucks parking on the entrance side of the site. Mr. Taibi felt that Pilot should stop parking on that side of the site. Mr. Ryland noted the presence of trucks lined up on both sides of the driveway entrance. Atty. Carlson said Pilot is not responsible for what occurs offsite. They agreed to provide \$100,000.00 toward off-site improvements. Mr. Taibi said Pilot should prevent trucks from using the Road by the bridge to access the site. Mr. Ford said regulations would have to be changed prohibiting trucks from crossing the bridge. The Township would have to adopt an ordinance that had the approval of the State and perhaps Hunterdon County. Mr. Ford asked about signage on the entrance side of the property. Mr. Staigar said he believes the signage states no stopping or standing. Mr. Kirkpatrick said Pilot is not doing everything they can do on their site to mitigate off-site traffic impact.

Mr. Taibi voiced his concern about the nineteen-parallel parking spaces. He said they should be reduced or eliminated. Cathy Adkins said she would speak with Bill Mulligan about employing someone to be on site daily to monitor the traffic situation. Ms. Adkins did not think Pilot would remove the spaces. Mr. Ford referenced the chute for cars going west on Route 173 and south on Charlestown Road. Mr. Staigar said the plan would be modified to make the two lanes more obvious. Mr. Taibi asked if it would be advantageous to put the stop line at Route 173 and Charlestown Road back approximately two car lengths. Mr. Staigar said that was a good point and would be considered.

Atty. Carlson referenced on-site remediation. He submitted a letter to the Board on June 29, 2010 summarizing remediation activities at the site. Representatives from Sovereign Consulting were present to address Board concerns. Mr. Kirkpatrick told Mr. Carlson that the letter stated steps being taken; however, it did not explain how much faster the remediation was taking place than if the site was still owned by Johnny's. Jennifer Williams explained. She said the NJDEP does not consider Pilot to be a high-priority site. Therefore, Pilot has opted into the LSRP Program which allows them to proceed with the remediation on their own without having to submit a report every two or three months and wait several months to hear from NJDEP. Mr. Kirkpatrick said that LSRP is an arm of the DEP. Mr. Galiano said the LSRP allows for self-guidance through the process to closure. The mechanism to close out the site is a RAO.

There is an open period to approve or disapprove. Mr. Galiano said that most likely the site will be closed and there would be no further action. Mr. Ford asked if DEP would still be involved with the approval. Miss Williams said “only if they audit it”. Mr. Clerico had a question about a condition in the November 2008 Resolution. It pertained to remediation at the site and a twenty-four month timeframe to complete all site work necessary to obtain a No Further Action Letter from NJDEP. Mr. Kirkpatrick said Pilot had to submit the schedule within twenty-four months. The Board recognized that it could take decades to complete remediation.

Atty. Carlson next addressed the proposed Wastewater Treatment Plan. The Board had questions about the efficiency of the Plan. Mr. Carlson said Larry Keller from Whitestone Associates would address the Board’s concerns. Mr. Keller had reviewed testimony by Charles Tiedemann and Jeff Houser. Mr. Keller said the mass loading of the Wastewater System had been reduced from what existed. He also said there have been upgrades to the alignment. Previously there had been a linear alignment and a box configuration is now proposed. Mr. Keller said the denitrification system has also been modified. He said organic waste, suspended solids and nitrogen values will be reduced. Mr. Keller said the effluent amounts are greater than stated by Mr. Tiedemann because his testimony was based on an individual discharge to groundwater permit. Pilot was able to remain under the existing T-1 Permit. Mr. Keller emphasized the proposal is a substantial improvement over existing conditions. Mr. Kirkpatrick said Pilot would have to meet effluent mass-loading standards, as testified to by Mr. Tiedemann. Mrs. Corcoran said Mr. Tiedemann testified that the System would have a nitrate removal component and ultra-violet disinfection. Ms. Adkins said Pilot would comply with Board requirements. Mr. Clerico said Pilot should submit documentation to the Board of previous testimony and their intent to comply with that testimony. Mr. Clerico also said that monthly or quarterly effluent reports should be submitted to the Township showing that the System is accomplishing what is required.

Mrs. Corcoran asked if Pilot had an operator for the System. Ms. Adkins assured Mrs. Corcoran there would be an operator. Mrs. Corcoran emphasized the importance of monitoring nitrogen and fecal-coliform levels. Correspondence will be forthcoming.

Mr. Clerico asked how the water-flow would be monitored. Mr. Keller said there would be daily records of water usage. Mr. Ford asked about lighting under the canopies at the diesel fuel stations. Ms. Adkins is addressing that matter. Atty. Carlson addressed the water issue. He said a second meter had been installed. Mr. Carlson said the readings are in excess of the 3,273 gpd. The hoses that truckers used to wash windshields, etc. have been removed. Three showers have been shut down. Power washing of the sidewalks and pedestrian walkways caused a spike in water usage. Atty. Carlson said that needs to be done periodically for safety purposes. Mr. Carlson said the water usage must be reduced to 3,273 gpd.

He also understood that Pilot had to maintain the usage under 3,273 gpd while it operated as the existing truck stop and by the time it was constructed and operating in its current condition and had completed an aquifer test could come before the Board and ask for an increase from the 3,273 gpd. Atty. Carlson apprised the Board of Pilot's proposal to reduce water. He said a site inspection revealed that none of the fourteen low-flow toilets had been installed. They are to be installed next Tuesday. Low-flow urinals and showerheads are in place. Mr. Carlson spoke to the site manager about placing mats or installing grooved pavement to avoid the weekly/bi-weekly power washings, which use about 1,500 gallons of water. It was suggested hiring an outside vendor to perform washings. Atty. Carlson hoped the Board would be receptive to the measurements proposed. Regular water readings would be taken as showers are being eliminated on an individual basis. .

Atty. Carlson mentioned the submission from Sovereign Consulting regarding the Aquifer Test. He said Pilot would like to seek relief from the 3,273-gpd imposition. Mr. Kirkpatrick said a formal written request should be submitted to the Board's Hydrogeologist, Vincent Uhl. Mr. Kirkpatrick cited his main concerns. There should be enough recharge in the area so that the aquifer would not be depleted and as the flow is increased, contaminants would not be introduced from the upper aquifer into the lower aquifer. He understands the lower aquifer is clean and the upper aquifer is not so clean. Atty. Anderson will review the Resolution and apprise Atty. Carlson of how to proceed. It may be necessary to hold a Public Hearing. Atty. Carlson said he would report to the Board as required. Outstanding issues could be handled through correspondence initially. Mr. Ryland had a question about outside storage of bottled water and window signs. Mr. Kirkpatrick said there had been correspondence from the Zoning Official about those issues and it did not appear that Pilot was in violation of the Ordinance. Mr. Ryland referenced traffic congestion. He noted that the backup tends to occur when truckers are weighing in at the scale. Ms. Adkins will discuss the issue with Mr. Mulligan. Mr. Ford asked for questions from the Board and/or its Professionals. There were none. Atty. Carlson thanked the Board for their time.

**Correspondence:** None

**Comments from the Public/Other Discussion:** Michele McBride, Olde Forge Lane  
Ms. McBride expressed appreciation to Mr. Taibi for his comments about gridlock on the bridge. She wondered if Pilot would consider removing the sign on I-78 in Pennsylvania since there is a water usage issue at the site. Mr. Kirkpatrick said the answer during the Hearing was an emphatic "No". Atty. Carlson asked Ms. Adkins to respond. Ms. Adkins said she would ask when she returns to the Knoxville Office.

Ms. McBride apprised the Board that UTEC is planning a project on conservation easement inventory and outreach. She took an Environmental Stewardship Course at Rutgers. Ms. McBride said there are between three-hundred and four-hundred easements in the Township. Documentation of the easements will be helpful to the Zoning Official.

Atty. Anderson said the documentation would be very valuable to the Township. Mr. Ryland voiced a concern about idling trucks at Pilot. The NJDEP granted a one-year extension to conform to anti-idling regulations. Mr. Kirkpatrick said that is irrelevant to Pilot. They had to develop an anti-idling plan to eliminate idling by December 2009.

**Motion to Adjourn:** Mr. Kirkpatrick made a motion to adjourn. Mr. Badenhausen seconded the motion. (9:10 p.m.)

Vote: All Ayes

Grace A. Kocher, Secretary